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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 FILED
 15 JAN 05 2006
 16 RICHARD W. WIEKING
 17 CLERK U.S. DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 OAKLAND DIVISION

| | | |
|------------------------------|----------------|-----------------------------------|
| 20 UNITED STATES OF AMERICA, | { | 21 No. CR 05-00650 MJJ |
| 22 Plaintiff, | | 23 STIPULATION AND [PROPOSED] |
| 24 v. | | 25 PROTECTIVE ORDER RE: DISCOVERY |
| 26 KAREN EKLUND, | | 27 OF PERSONAL AND FINANCIAL |
| 28 Defendants. | 29 INFORMATION | |

30 _____ {
 31 OAKLAND VENUE

32 With the agreement of the parties, and with the consent of the defendant, the Court enters
 33 the following order:

34 Defendant Karen Eklund is charged with one count of aggravated identity theft, in
 35 violation of 18 U.S.C. §1028A; and two counts of access device fraud, in violation of 18 U.S.C.
 36 §1029. Upon request, the United States will produce to counsel for the defendant discovery that
 37 contains personal identifying information, including social security numbers, birth dates and
 38 driver's license numbers, and private financial information, including account numbers and
 39 locations, pertaining to the victims in this case. Pursuant to Federal Rule of Criminal Procedure
 40 16, the government requests that disclosure of these materials be subject to the following
 41 restrictions:

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43 PROTECTIVE ORDER
 44 [CR 05-00650 MJJ]

1 1. Except when being actively examined for the purpose of the preparation of the
2 defense of defendant Karen Eklund, the documents containing personal identifying and private
3 financial information of third parties produced by the government to defense counsel shall be
4 maintained in a locked, safe, and secure drawer, cabinet, or safe which is accessible only to
5 defense counsel, members of his or her law firm who are working with him or her to prepare the
6 defendant's defense, and his or her investigator. Defense counsel, members of his or her law
7 firm, the defendant, and the investigator shall not permit any person access of any kind to the
8 documents or disclose in any manner the personal identifying and private financial information
9 of third parties except as set forth below.

10 2. The following individuals may examine the documents and information related to
11 the personal identifying and private financial information of third parties for the sole purpose of
12 preparing the defense of defendant Karen Eklund and for no other purpose:

13 a) Counsel for defendant;
14 b) Members of the counsel for the defendant's law office who are assisting
15 with the preparation of Karen Eklund's defense;
16 c) Defendant Karen Eklund, but only in the presence of defense counsel or
17 another authorized person listed in this paragraph;
18 d) Investigators retained by the defendant to assist in the defense of this
19 matter.

20 If defense counsel determines that additional persons are needed to review the material, he or she
21 must obtain a further order of the Court before allowing any other individual to review the
22 material.

23 3. A copy of this order shall be maintained with the documents at all times.

24 4. All individuals other than defense counsel and the defendant who receive access
25 to the materials pursuant to this Order, prior to receiving access to the materials, shall sign a copy
26 of this Order acknowledging that

27 a) they have reviewed the Order;
28 b) they understand its contents;

- 1 c) they agree that they will only access the documents and information for the
- 2 purposes of preparing a defense for defendant Karen Eklund;
- 3 d) they understand that failure to abide by this Order may result in sanctions
- 4 by this Court.

5 Counsel for the defendant shall promptly file signed copies of the Order, ex parte and under seal.
6 The government shall have no access to these signed copies without further order of the District
7 Court.

8 5. No other person may be allowed to examine the material without further court
9 order. Examination of the documents shall be done in a secure environment which will not
10 expose the materials to other individuals not listed above.

11 6. Documents such as word processing files, e-mails, and other text files may be
12 duplicated to the extent necessary to prepare the defense of this matter.

13 7. Any pleadings that reveal the personal identifying or private financial information
14 of third parties, either by attaching copies of documents containing that information or
15 referencing that information, shall be redacted to prevent the disclosure of such information or
16 filed under seal.

17 8. Within five court days of the judgement and sentencing hearing in this matter, all
18 material provided to defense counsel pursuant to this Order, and all other authorized copies, if
19 any, shall be returned to the Government. The Government shall destroy them. If defendant

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1 believes that she must maintain the material for any reason related to appeal, defendant must seek
2 authorization from the District Court within five days of the sentencing and judgement in this
3 matter.

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5 STIPULATED:

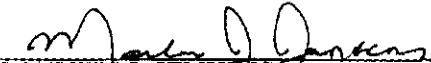
6
7 DATED: 12-29-05 _____ /s/

8 Attorney for Defendant Eklund

9
10 DATED:01-01-06 _____ /s/
11 KIRSTIN M. AULT
Assistant United States Attorney

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13 IT IS SO ORDERED that disclosure of the above-described discovery materials shall be
14 restricted as set forth above.

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16 DATED: 1/6/2005


17 MARTIN J. JENKINS
United States District Judge